



**DATE ISSUED:** 

**EXPIRES:** 

05/01/2018

05/01/2021

# United States Department of Agriculture Animal and Plant Health Inspection Service 4700 River Road Riverdale, MD 20737

# Permit to Move Live Plant Pests, Noxious Weeds, and Soil

Importation

# Regulated by 7 CFR 330

This permit was generated electronically via the ePermits system

PERMITTEE NAME: Mr. David Duddy

ORGANIZATION:

PERMIT NUMBER: P526P-18-01670

APPLICATION
NUMBER:
P526-180202-013

ADDRESS: 92 East Pleasant Valley Road FACILITY N/A

Camarillo, CA 93010 NUMBER:

MAILING ADDRESS: P.O. BOX 7614 HAND CARRY: No

Westlake Village, CA 91359

PHONE: 805-445-9001

FAX:

DESTINATION:

DESIGNATED

PORTS:

92 East Pleasant Valley Road, Camarillo, CA 93010

CA, El Segundo; CA, San Francisco; FL, Miami (Cargo, DHL, Fed Ex, UPS, etc.); GA, Atlanta (Air Cargo Only -

No Maritime shipments authorized); NY, Jamaica

Under the conditions specified, this permit authorizes the following:

|                               | Order the conditions specified, this permit authorizes the following. |                                 |                     |  |                         |
|-------------------------------|---|---------------------------------|---------------------|--|-------------------------|
| Regulated Article             | Life Stage(s)   | Intended Use                    | Shipment<br>Origins | Originally Collected                                     | Culture<br>Designation  |
| Heterorhabditis bacteriophora | Juveniles   | Commercial<br>Biological Supply | Kenya               | Originally Collected from Foreign and Domestic Locations | Beneficial<br>Nematodes |
| Steinernema feltiae           | Juveniles   | Commercial<br>Biological Supply | Kenya               | Originally Collected from Foreign and Domestic Locations | Beneficial<br>Nematodes |

## DENIED ORGANISM(S)

Article Category: BioControl Organisms - Parasites/Predators of Invertebrates

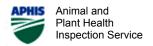
| Article Category. DioControl Organisms - Latasites/Fredators of invertebrates |               |                     |                 |                                |                    |
|---|---------------|---------------------|-----------------|--------------------------------|--------------------|
| Regulated Article   | Life Stage(s) | <u>Intended Use</u> | <b>Shipment</b> | <b>Originally Collected</b>    | <u>Culture</u>     |
|   |               |                     | <u>Origins</u>  |                                | <b>Designation</b> |
| Phasmarhabditis   | Juveniles     | Commercial          | Kenya           | Originally Collected from      | Beneficial         |
| hermaphrodita   |               | Biological Supply   | •               | Foreign and Domestic Locations | Nematodes          |

#### SPECIAL INSTRUCTIONS TO INSPECTORS

See permit conditions below

Permit Number P526P-18-01670

| THIS PERMIT HAS BEEN APPROVED ELECTRONICALLY BY THE FOLLOWING PPQ HEADQUARTER OFFICIAL VIA EPERMITS. | DATE       |
|--|------------|
| Roll D. Pfanest  |            |
| Robert Pfannenstiel  | 05/01/2018 |





#### DHS CBP INSPECTORS - SHIPMENT BY BONDED CARRIER

- 1) Confirm that the carrier of the shipment imported under this USDA PPQ 526 permit is commercially bonded.
- 2) Confirm that the imported shipment has a valid USDA PPQ Form 599 Red/White label attached to the exterior for routing to a USDA APHIS PPQ Inspection Station or other "Designated Port" as stated on the Permit. A valid label will have the permit number, expiration date, label number, and address of a USDA APHIS PPQ Plant Inspection Station/Designated Port. PLEASE NOTE: In the event of a shipment of bulk container with discrete units, a single PPQ Form 599 Red/White label may be used.
- 3) Validate the permit in ePermits using the CBP search feature.
- 4) If a valid PPQ Form 599 Red/White label is not attached to the exterior of the package or the label has been covered or is otherwise not legible, then forward to the nearest USDA APHIS PPQ Plant Inspection Station.
- 5) If the address on the airway bill does not match the address on the PPQ Form 599 Red/White label then forward the package to the nearest USDA APHIS PPQ Plant Inspection Station/designated port shown on the PPQ Form 599 label. All costs associated with rerouting misaddressed packages will be assumed by the permit holder.

#### APHIS PPO INSPECTORS at PIS - Low Risk

Follow the instructions in the Plant Inspection Station Manual for Low Risk Organisms - Arthropods or Microbials Red and White Labeled Packages (may be opened outside a biosafety cabinet; see procedures for handling on page 3-7-42). For questions or concerns, contact USDA APHIS PPQ in Riverdale, MD, at 301-851-2046, toll free 866-524-5421.

#### PERMIT GUIDANCE

- 1) Receipt or use of foreign isolates or samples from countries under sanctions requires specific permission from the U.S. Department of Treasury; please refer to
- https://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx
- 2) This permit does not authorize importation, interstate movement, possession, and/or use of strains of genetically engineered regulated materials/organisms (created by the use of recombinant DNA technology).
- 3) If an animal pathogen is identified in your shipment, to ensure appropriate safeguarding, please refer to <a href="http://www.aphis.usda.gov/import">http://www.aphis.usda.gov/import</a> export/animals/animal import/animal imports an approducts.sh tml
- 4) If a human pathogen is identified, please refer to the CDC Etiologic Agent Import Permit Program at http://www.cdc.gov/od/eaipp/
- 5) This permit does not fulfill the requirements of other federal or state regulatory authorities. Please contact the appropriate agencies, such as the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the U.S. Food and Drug Administration, the Centers for Disease Control and Prevention, the APHIS Veterinary Services unit, the APHIS Biotechnology Regulatory Services, or your State's Department of Agriculture to ensure proper permitting.
- 6) If you are considering renewal of this permit, an application should be submitted at least 90 days

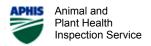
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Robert Pfannenstiel

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WARNING: Any alteration, forgery or unauthorized use of this Federal Form is subject to civil penalties of up to \$250,000 (7 U.S.C.s 7734(b)) or punishable by a fine of not more than \$10,000, or imprisonment of not more than 5 years, or both (18 U.S.C.s 1001)





prior to the expiration date of this permit to ensure continued coverage. Permits requiring containment facilities may take a longer period of time to process.

#### PERMIT CONDITIONS

USDA-APHIS issues this permit to David Duddy, 92 East Pleasant Valley Road, Camarillo, CA 93010. This permit authorizes the importation of the entomopathogenic nematodes Heterorhabditis bacteriophora and Steinernema feltiae from production facilities at Kingfisher Farm, South Lake Road, Naivasha, Kenya 20117, to Tip Top Bio-control, P.O. Box 7614, Westlake Village, CA 91359, for resale within the USA.

This permit further authorizes the permit holder to move Heterorhabditis bacteriophora and Steinernema feltiae from Camarillo, CA to interstate destinations in the continental United States, excluding Hawaii, territories and possessions of the United States for release into the environment without additional permit.

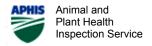
- 1. This permit is issued by the United States Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). It conveys APHIS regulations and requirements for the material(s) listed on this permit. It does not reduce or eliminate your legal duty and responsibility to comply with all other applicable Federal and State regulatory requirements.
  - The permit number or a copy of the permit must accompany the shipment.
  - You must be an individual at least 18 years old, or legal entity such as partnership, corporation, association, or joint venture.
  - You are legally responsible for complying with all permit requirements and permit conditions.
  - The regulated material and shipping container(s) are subject to inspection by officials of Custom and Border Protection (CBP) and APHIS. CBP or APHIS officials may require the shipment to be treated, seized, re-exported, or destroyed (in part or whole). You will be responsible for expenses.
  - If you violate any applicable laws associated with this permit, you may face substantial civil or criminal penalties. We may cancel all current permits and deny future permit applications.
  - Without prior notice and during reasonable hours, authorized Federal and State Regulators must be allowed to inspect the conditions associated with the regulated materials/organisms authorized under this permit.

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Robert Pfannenstiel

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## 2. The permit holder must:

- maintain a valid PPQ526 permit so long as the regulated materials/organisms are received, handled, and released,
- take appropriate precautions to release regulated materials/organisms only at intended release sites.
- not assign or transfer this permit to other persons without APHIS PPQ authorization,
- maintain an official permanent work assignment, residence, or affiliation at the address on this permit,
- notify the Pest Permit Staff as soon as possible of any change in the permit holder's work assignment, residence, or affiliation,
- notify the Pest Permit Staff of the receipt of unauthorized and/or misdirected shipments of regulated materials/organisms.

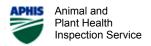
Notifications to the Pest Permit Staff must be made via 866-524-5421 or pest.permits@aphis.usda.gov within one business day of the event triggering a notification.

3. This permit does not authorize movement or use of plant pathogens listed in the Public Health Security and Bioterrorism Preparedness and Response Act of 2002. If any organism listed as a Select Agent is identified from materials associated with this research, the permit holder is required to notify APHIS, Agriculture Select Agent Services (AgSAS) immediately by phone at 301-851-3300 option 3, and within seven (7) days submit APHIS/CDC Form 4A (Report of Identification of a Select Agent or Toxin in a Clinical or Diagnostic Laboratory) to APHIS, AgSAS; 4700 River Rd, Unit 2, Riverdale, MD 20737 (see instructions at: https://www.selectagents.gov/resources/APHIS-CDC\_Form\_4\_Guidance\_Document.pdf). Failure to comply with this requirement is a violation of the Agricultural Bioterrorism Protection Act of 2002. Plant pathogen select agents currently listed include: *Peronosclerospora philippinensis* (*Peronosclerospora sacchari*), *Conothyrium glycines* (formerly Phoma glycinicola and Pyrenochaeta glycines), Ralstonia solanacearum, Rathayibacter toxicus, Sclerophthora rayssiae, Synchytrium endobioticum, and Xanthomonas oryzae.

Permit Number P526P-18-01670

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|--|------------|
| Rolf D. Pfanest  |            |
| Robert Pfannenstiel  | 05/01/2018 |

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Dermit Number D526D 18 01670

- 4. All packages for transport must minimally consist of both inner/primary and outer/secondary packages securely sealed so that both are effective barriers to escape or unauthorized dissemination of the listed materials/organisms. The inner/primary package(s) will contain all regulated materials/organisms and must be cushioned and sealed in such a way that it remains sealed during shock, impact, and pressure changes that may occur. The outer/secondary shipping container must be rigid and strong enough to withstand typical shipping conditions (dropping, stacking, impact from other freight, etc.) without opening.
- 5. After PPQ issues this 526 permit, you will need to request Red/White labels (PPQ Form 599) at least 5 days in advance of your shipping date. If you applied for your permit online using ePermits, you may request the labels using the My Shipments/Labels feature. Otherwise, send your request to Redandwhitelabelrequest@aphis.usda.gov. All email requests must come from the permit holder or designee. If requested by the designee, the permit holder must be copied on all requests. Specify the approved port as listed on the permit and the total number of labels needed. You may request additional labels the same way.

Packages without labels on the exterior may be refused entry.

### Review label instructions at:

https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/permits/regulated -organism-and-soil-permits/ct organisms-shipping-requirements.

You are responsible for instructing your shipper to carefully follow these instructions. You are responsible for each import shipping label issued under this permit.

- 6. Shipment of only pure cultures of listed species is allowed suspended in a clay or water based carrier (including gels), or other approved packing material as per 7CFR 319.37-9, and obtained directly from lab-reared colonies produced in Naivasha, Kenya is authorized.
- 7. The permit holder must ensure that the source (production) of all imported material are only from facilities identified in the application and documents submitted with the application for this permit.

#### END OF PERMIT CONDITIONS

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|--|---|
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| Rolf D. Pfanes   |   |
| Robert Pfannenstiel  | 05/01/2018                              |
|  |   |